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THE GOVERNMENT OF A TYPICAL PRUSSIAN
CITY—HALLE A/S.

The city of Halle, called usually Halle-on-the-Saale, to distinguish it from other cities of the same name in Germany, is situated near the head of navigation on the River Saale, twenty miles northwest of Leipsic and one hundred miles southwest of Berlin. It is one of the most ancient cities of northern Germany, having a history based on written records running back nearly eight hundred years, at which time it was already a city of considerable size. It is first mentioned as a city in the year 1024, but was included in a grant of land made by Otho the First in the year 961, and was possibly the Burg Halla, which name appears in old documents from 806 on. It had become the second city in the archbishopric of Magdeburg as early as the first part of the twelfth century, and grew rapidly in industry and power until it was important enough to be accepted as a member of the Hanseatic League at least as early as 1281. From that time on it has been an important city in that portion of Germany in which it is situated, though long since surpassed in wealth and population by its near neighbor and former rival—Leipsic.

Since the latter part of the forties it has grown steadily and at times rapidly, becoming of late a great railroad and industrial centre. The population, which was about 30,000 in round numbers in 1850, had become 42,000 in 1860, 51,000 in 1870, 71,000 in 1880, and 101,000 in 1890. The next census in the present year will show a population of about 135,000, or, counting the suburbs which will be by that time incorporated in the city, 155,000. It is therefore a rapidly growing middle-sized city, in the way of becoming a great city before many decades.

It may fairly enough be taken as a type of the modern, rapidly developing German city of medium size. Its financial, governmental, economic, social, sanitary and educational problems have been those of an old city, with a style of building, habits of life, and standards of public comfort characteristic of the eighteenth century, which has suddenly had to face all the embarrassments growing out of a rapidly increasing population, with an ever more imperative demand for all the modern improvements of city life.

It has had to adjust itself to the new conditions under a form of government which was established in its outlines in the early part of this century, at the time of the Stein and Hardenberg reforms—somewhat modified about 1830, and again in 1853, but since that time remaining practically unchanged.

It would be difficult to find an American city growing from 30,000 in 1850 to 150,000 in 1900, which has not changed its form of government a half-dozen times. It will be of interest therefore to examine this scheme of governmental organization, which, adopted for a small city, belonging essentially to the last century, has been found satisfactory for a modern city of the highest type.

The city of Halle forms an independent circle—the ultimate unit in the scheme of administrative organization of the Prussian state. It is a part of the government-district of Merseburg, which itself is a subdivision of the province

of Saxony—one of the twelve great divisions of Prussia. The city authorities are subject in many respects to the supervision of the higher administrative officials of the government-district, of the province, and of the state.

The area of the city circle is 9.6 square miles; the population at the end of October, 1898, 125,421. The area of the government-district of Merseburg is 3,980 square miles; the population 1,075,569. The area of the province of Saxony is 9,750 square miles. The population in 1895 was 2,698,549—not differing much in area and population from that of Massachusetts and Rhode Island combined [9,135 square miles; 2,604,000 (1890)].

The city authorities in Prussia, like those in our own country, are not merely organs of local self-government, but are also the local agents for the performance of many general functions imposed upon them by the district, province, state, and even the imperial governments.

The most striking and peculiar feature of city government in Prussia is the so-called *Magistrat*, a term which may be translated as the magistracy, the board of magistrates or board of aldermen, or, with reference to its most important function, the executive or administrative board. The last mentioned term, namely, administrative board, will be used to describe this body in the present article.

The administrative board of the city of Halle consists of seventeen members, including the mayor, who is the presiding officer and director of the board. Eight of these are salaried members and nine unsalaried. The eight salaried members are chosen for a term of twelve years; the nine unsalaried members are chosen for a term of six years—all of them by the city council. The board is collegiate in character and can act only by a majority vote, though in cases of urgency the mayor may act for it, being required, however, to report his action immediately to the board for its consideration and action. One-third of the members constitute a quorum for the transaction of business. The

fact that certain members of the board are expected to give all their time to the work of the board and that others are expected to give only a portion of their time is reflected in the fact that some of the members are salaried and some are not. Any citizen of the town may be chosen to the position of unsalaried member, though he cannot be a member of the city council at the same time. It is an honorary office, and persons chosen must perform the duties of the same unless excused for some good reason by the city council, under the penalty of a very considerable increase in their tax rate. One-third of the unsalaried members retire from the board every two years. The retiring members are re-eligible indefinitely. The most important departments of public administration are divided among the salaried members, who are expected to devote all their time to the work of their offices. These members are chosen generally without any specific assignment of functions and might be described as members without a portfolio. It is the duty of the mayor to divide up the public business among the members of the administrative board in what seems to him the most efficient and satisfactory manner.

Two salaried members of the administrative board have been chosen, however, in Halle with special reference to particular departments. One of these, called the school inspector, is the official adviser of the administrative board upon school matters. Another, called the city architect or engineer, is the official adviser of the board upon all matters relating to building, to the public works, etc. The former is a trained school man and the latter a trained engineer—a graduate of a school of technology. There are no restrictions upon the city council in its choice of members of the administrative board, except that at least one of these members shall have the qualifications required of men who desire to pursue the judicial or higher administrative career. Such member, if the only one possessing these qualifications, would become naturally the legal advisor of the board

or the city attorney. As a matter of fact, however, the tendency is very steadily toward requiring as a qualification for election to salaried membership in the board the completion of the full course of legal study and practice required for the admission to the bar or to the judicial career. Thus, not counting the school inspector and the city engineer, all the salaried members of the board in Halle, with one exception, possessed such qualifications before they were elected to their present positions.

As a rule, men are chosen to the position of salaried members of the board who have had experience in the service of other cities. This class of positions has become therefore in a certain sense a career. A city desiring a mayor looks about among the successful mayors of other cities and seeks to get the best man it can find for the salary it can pay, and so for the other salaried positions on the board.¹ The present salaried members of the board in Halle have all been called from similar positions in other cities. The choice of all members of the administrative board must be approved by the higher administrative authorities. The approval of the King must be obtained for the choice of mayor and assistant mayor, or head mayor and mayor, as the two officials are called in the city of Halle. The choice of the other members must be approved by the president of the government-district in which the city is situated.

The administrative board, although defined primarily to be an executive and administrative authority, has not only the supervision, control and conduct of the entire city

¹ The following advertisement, which is typical, appeared in a Cologne paper recently: "As the undersigned will be retired under the pension law on the 4th of October, 1900, the position of Mayor of the City of Gladbach will thereby become vacant. Candidates who have passed the State examinations for the higher judicial or administrative career, and who have had experience in the administration of a large city, are requested to send in their applications by the 10th of March. The salary is 10,000 marks, with right to a pension, and 1,500 marks additional for expenses.

(Signed.)

"HEAD MAYOR OF GLADBACH."

administration, but shares also in the local legislative authority, since all resolutions of the city council, with comparatively few exceptions, relating to its own constitution, the passing upon the election of its own members, etc., must receive the approval of the administrative board before they can have the effect of local ordinances. The administrative board is authorized to make recommendations to the city council upon all subjects relating to city legislation and administration. It prepares and submits the business to be transacted to the city council, and while it does not always submit it in the form of a definite resolution, still, as this is the most convenient and speedy method of transacting the business, it is a form quite commonly adopted. Its relation toward the city council resembles in some respects the relation of an English cabinet toward the House of Commons, or, perhaps better, the relation of the executive board in Switzerland to the legislative branch.

As will be seen later, while the city council has also the right to initiate legislation, as a matter of fact nearly all legislation is initiated in the administrative board, and even when the city council desires to pass an ordinance upon any given subject, the form of action usually consists in a request to the administrative board to submit an ordinance to the city council, relating to the subject in hand and embodying the ideas of the council. The double character of the administrative board, as a body which prepares legislation for submission to the city council and as a co-ordinate branch of the legislative authority itself, is revealed in the ordinary process of passing an ordinance. The administrative board, having decided that an ordinance is necessary, drafts the same and submits it to the city council, with a recommendation that it be passed. Even when accepted by the city council without change, it must still receive the formal consent of the administrative board before it can go into effect.

The peculiar relation of the city to the higher administrative authorities is shown by the possibility of appeal

by either the administrative board or the city council to the higher authorities, in case these two bodies cannot agree as to the desirability of proposed legislation. If, for instance, the city council regards an ordinance of a certain kind as very necessary, passes the same and sends it to the administrative board, which, however, refuses its consent, the ordinary result would be that such ordinance could not be enacted, and the condition would remain in *statu quo* until the two bodies could agree upon an ordinance. But in Prussia the city council may appeal in such a case to the government-district authorities. If, in the opinion of the latter, it is not a pressing matter, and may therefore be left to ultimate settlement by the ordinary method of agreement between the two bodies, resulting in inaction until such agreement can be reached, it is the duty of these authorities to refuse to interfere; but if, on the contrary, it should take the same view as the city council, viz., that this is a subject calling for action and calling for action of the kind indicated by the city council, it may approve the resolution of the council, thereby making it an ordinance, binding the administrative board. The administrative board may in the same way prepare a resolution, and if it is not accepted by the city council, the board may appeal to the district authorities in the same way as the council may appeal, the process being exactly similar in both cases. In a word, it will be seen that for certain pressing matters, or at least for matters which one or the other of the local legislative bodies regard as very pressing, it is possible to substitute for the consent of either, the consent of the higher administrative authorities of the district.

It is fair to say, however, that statistics show that little or no use is ever made of this privilege. In the city of Halle during eighteen years only one such instance has occurred. In that case the question turned upon the method of raising a certain sum of money required for city purposes, either by a tax upon house owners or a tax upon

house occupiers. The city council, made up for the most part of house owners, insisted upon raising the money by a tax on house occupiers. The administrative board considered that under the circumstances this was an unfair burdening of house occupiers and an unfair lightening of the burdens of house owners. The district authorities agreed with the administrative board, and the city council was compelled to accept the proposition of the administrative board as to the method of raising these taxes.

It might seem on the face of it as if the fact that the administrative board, if chosen by the city council, would make the former a mere agent or instrument of the latter. But, in the first place, the long term of office of the salaried members and the high character of the unsalaried members gives them a far greater degree of independence than one might believe possible on *a priori* grounds. In the second place, there is a very important pressure brought to bear upon the city council to re-elect the salaried members of the administrative board, upon the expiration of their terms of office, even if they do not altogether like them, by the fact that the city is required to pay a pension to the salaried members of the administrative board who are not rechosen at the expiration of their term of office. This pension is equal to one-half of the total salary at the end of the first twelve-year period, and the entire salary at the end of the second twelve-year period. This practically makes the position of salaried members of the administrative board a position during good behavior, unless the person is retired on account of physical or other inability to perform the duties of the office, in which case he is also entitled to a pension, varying according to the years actually served.

A further guarantee of the independence of the administrative board is to be found in the fact that the law assigns certain matters exclusively to its jurisdiction. The entire conduct and control of the local administration, the appointment of members of the city civil service, control over those

branches of the public administration which do not require the expenditure of money, etc., are vested in the administrative board to the exclusion of any interference on the part of the city council. All these things combined give to the administrative board at least the full dignity and authority of a second legislative chamber, and, on the whole, considering its extensive administrative functions, constitute it not only the most striking feature in the municipal government of Prussia, but also the most powerful. The higher authorities may insist, moreover, on a suitable treatment of the administrative board by the city council as to salary, expenses, etc., and the board is thus protected in its sphere of action against too great encroachments on the part of the city council.

The collegiate character of this board is an important and interesting feature of the public administration. The common notion that Prussia is governed by a bureaucracy is nowhere more strikingly refuted than in city administration, and one may say in local administration in general. In no large country in the world is greater care taken to provide that a decision, so far as it involves the question of expediency in any important public matter, shall not be made by one man, than in the kingdom of Prussia. In every department of the government, where it is possible, the system of boards with collegiate authority has been introduced, and where it is felt that such a system might lead to divided responsibility and the principle of one-man authority is therefore accepted, still such officer is required by law to consult certain boards, to get their official advice and opinion before acting. The whole spirit of the Stein and Hardenberg reforms involved, in one direction at least, the active participation of the lay element as distinct from the professional element in the administration of public affairs, and this principle has found the most extensive application in every department of local government in Prussia. Nothing can be done in the sphere of civil administration except

by boards which contain to a large extent a lay element; that is, a non-professional element; and in every instance the director or presiding officer has little more to say than any other member of the board, his chief advantage consisting in the right of an appeal to the higher authorities in certain cases considered by him to be of very great importance. Thus, in the administrative board of the city of Halle, while there are eight salaried members, who may be considered professional in character, who may be looked upon as in a certain sense inspired by the official and bureaucratic spirit, which creeps so easily into every system of public service, yet the fact that no action can be taken by any one of these without the consent of the board, or, in any important matter, without the fullest discussion and criticism (of the proposed policy) in the board, prevents that deadening influence which grows out of official routine and official arbitrariness and despotism. When we consider further that in this board, which has the sole power of deciding all important matters, a majority, nine out of seventeen, are lay members, it will be seen that provision is made for the fullest and most complete discussion and representation of the controlling and leading views in the community; for these nine lay or unprofessional members are chosen from among the leading citizens, from among men of high station in the various departments of social, professional and industrial life. In general, this participation of great numbers of the citizens in the active work of municipal administration is one of the striking features of the system of local government in Prussia, and it will be difficult to find in the history of any other nation such a remarkable development of public spirit and public interest in municipal affairs within so short a time as has taken place in Prussia under the impulse of this system and the spirit in which it has been administered since the beginning of the century. This feature explains the wonderful development of efficiency, of initiative enterprise, of thrift and

economy, which is characteristic of the system of local government in the Prussia of to-day.

While the mayor is, primarily, simply the president of the administrative board, he has a certain authority which distinguishes him from the other members of the same. It is his function, as noted above, to distribute the business to be transacted among the members of the board, and to supervise and control their administration. He has a certain power to inflict fines upon any member of the city civil service and to order the same into arrest for a certain brief period, in case of neglect or violation of his duties. In case he regards any action taken by the administrative board as exceeding its authority or violating the general laws of the state, he may veto the same, and if the administrative board chooses to appeal to the supervising authorities against the veto of the mayor, it has the privilege of doing so. In other words, in case of a permanent disagreement between the mayor and the rest of the board as to the legitimacy of certain action on the part of the board, the consent of the higher authorities may be substituted for the consent of the mayor. This privilege of vetoing the action of the board is very seldom exercised. It has not been exercised in the city of Halle for the last eighteen years.

The independence of the administrative board over against the city council, which was discussed above, is also further favored by the fact that the general laws of the state and the ordinances of the superior local authorities, provincial and district, may and do assign certain functions relating to the execution of the general laws of the state and province to the administrative board alone, or else to the mayor. In general, the mayor and the administrative board are the local organs, which are entrusted with the local execution of general state and provincial legislation. In their capacity as representatives of the higher legislative and administrative authority, they are not subject to any control on the part of the city council. This circumstance

tends still further to increase the independence and the power of the administrative board, even in the management of purely local affairs.

A large part of the function of an American city council consists in the issuing of local police ordinances; but in Halle the whole administration of the police and the power of issuing police ordinances is vested in the mayor as the representative of the state government. This practically means that a very important part of the local ordinance power is vested in the mayor, though in most cases the consent of the administrative board is necessary to the making and publishing of these ordinances.

The meaning of the term "police" in the German state is very broad, though perhaps not so extensive as the term "police power" as used in English and American law. The function of the police is declared in the general code of the kingdom to be "the establishment of the necessary measures for the preservation of public quiet, safety and order, and for the protection of the public or of individual members of the same from dangers which may threaten them." This, it will be seen, is a very extensive function—more exactly defined, it is true, in the law, by the enumeration of the particular matters which fall under that head. Some notion of the extent of this authority may be obtained from a brief summary of the subjects included within it, contained in the general law relating to the exercise of the police power in Prussian cities. It is declared that to the jurisdiction of the police authority belong the following subjects:

- (a) The protection of person and property.
- (b) Order, security, and ease of intercourse upon public streets, roads, squares, bridges, banks of rivers and waters.
- (c) The system of markets and public sale of provisions.
- (d) Order and regularity in the public assembling of large numbers of persons.
- (e) The public interest in lodging houses and hotels,

wine, beer and coffee saloons, and other establishments for the sale of food and drink.

(*f*) Protection of life and health.

(*g*) Protection against the danger of fire in the erection of buildings, as well as against injurious or dangerous actions, undertakings or events in general.

(*h*) The protection of fields, meadows, pastures, nurseries, vineyards, etc.

(*i*) Everything else which may be ordered by the police in the special interest of communities and their members.

In issuing police regulations or ordinances concerning the above mentioned subjects, with the exception of those relating to public security, the mayor is bound to obtain the consent of the administrative board. In matters relating to agricultural police, the mayor must also obtain the consent of the city council.

The law, however, confers upon the city authorities as such the right to issue police ordinances in regard to certain definite matters, and in such cases the consent of the city council is, of course, required to the issuance of such ordinances. To illustrate the way in which this works, we may take as an example the relation of the city to the public slaughter-house and stock-yards. Under the general municipal code of Prussia, which is based on the principle that cities may do (not what is expressly permitted as in the case of American communities, but) what is not prohibited by the law, a city would be authorized to establish a public slaughter-house if it chose to do so, provided it could obtain the consent of the superior administrative authorities, which, generally speaking, would not be refused. But, having established the public slaughter-house, the city could, under the general municipal law, have no authority to require that all slaughtering in the city should be done in the public slaughter-house. This ordinance could only be passed by the police authority, which, in this case, would be the mayor and the adminis-

trative board. But a general law, passed by the state in 1869, provides that cities which choose to erect public slaughter-houses may by local ordinance require that all slaughtering be done in these houses. Thus, a portion of this police authority is vested in the city authorities in general and requires for its exercise the consent of the city council.

The vesting of the police authority in this large sense in the mayor and the administrative board practically makes the latter a more powerful body, for some purposes, even in the sphere of what we should be likely to call in the United States local ordinance, than the city council itself.

The city council of Halle consists of fifty-four members, chosen in accordance with the well-known Prussian three-class system.¹

As this system has been recently well described and somewhat in detail in the number of "Municipal Affairs" for September, 1899, it will not be necessary here to go into any great detail as to the method of election of the members, but a general description is necessary, since the city of Halle shows some deviations from the provisions in the general law.

All the qualified voters of the city are arranged in a list in the order of the amount of direct taxes which they pay to the city, district, province and state. The sum of these taxes is then taken, beginning at the highest and continuing until a sum equal to one-third of the total taxes paid by all the qualified voters is obtained. The persons who together pay this first third of all the direct taxes constitute

¹ The normal number of members in the city council is indicated in the general municipal code, and varies according to the population of the cities; but the provision in the municipal code is directory and not mandatory. The number in the city council is therefore practically determined by local ordinance, though the normal number indicated in the municipal code represents the centre around which the actual number in the various cities may be said to fluctuate. Thus, the number in the city council of Halle, which was fixed at twenty-seven under the revised municipal code of 1831, remained at that figure until 1866, when the number was increased by local ordinance to forty-five, where it remained until 1890, when the number was fixed at fifty-four by local ordinance.

the first voting class. The addition is then continued until the second third of the sum total is obtained. The persons who together pay this second third constitute the second voting class. All the other qualified voters, who together pay the last third of all the direct taxes, constitute the third class. Each of these classes is entitled to choose one-third of the members in the city council—or in the case of Halle, eighteen. As the term of office of the members of the city council is six years, and as one-third retire every two years, each class is entitled to choose six members every two years. The law provides that in case there are more than five hundred voters in any class, the city may be divided into electoral districts for the choice of members. In the case of Halle the city is not divided into electoral districts for the choice of members in either the first or second class, but is divided into five districts for the choice of members in the third class—one member being chosen in each of four districts and two in the fifth.¹ A majority of the members representing each class must be made up of householders.

It is easy for any one at all familiar with the distribution of wealth and taxes in modern cities to see that a city council made up upon this method will be composed primarily of representatives of the propertied classes, and one may say in general of the classes possessing large property. For it is certain that the number of members in the first class will be very small, and even in the second class the number will be small compared with that of third class.

As a matter of fact, in the city of Halle, in the year 1899, the list of qualified voters contained 17,699 names, of people who together contributed the sum of 2,743,639.20 marks in direct taxes. One-third of this sum, or 914,546 marks, was contributed by 140 persons. The person high-

¹ As the actual districting was done many years ago, the population of the various districts has become very unequal. Three of the districts are much more populous than the other two, and in order to bring about a certain sought equality, these three are allowed to choose the sixth member in turn.

est taxed paid the sum of 56,051.20 marks. The person who paid the minimum sum entitling him to admission into the first class paid 2,267.98 marks. The second third of the total amount of direct taxes was contributed by 914 persons, who, therefore, constituted the second class of voters, the highest taxed person in this class paying 2,266.89 marks, and the lowest taxed, 486 marks. All the rest of the voters, being 16,645 in number, contributed the last third of the direct taxes, and constituted, therefore, the third class. The highest taxed person in the third class paid 486 marks.

The first two classes, containing together only a little over one thousand persons, and including no one who did not pay at least \$120 in direct taxes, elected together thirty-six members of the city council, while the third class, containing sixteen times as many persons, elected only one-third of the members of the city council. It is plain that the first class and a majority of the second class could elect two-thirds of the members in the city council, and it is also plain that this list would include a comparatively small number, not to exceed three hundred persons, all paying probably upward of \$250 a year in direct taxes. It is evident that this system of government has been properly denominated a government by the taxpayers, and one may add, by the large taxpayers. Owing to the fact that a citizen must have paid a tax, to which he has been regularly assessed, before voting, or must show an income of at least 660 marks (\$157.08), or must be a house owner, etc., the total number of qualified voters falls considerably below the total number of male citizens twenty-four years of age (the age required before a person can vote) in the community. Thus, a large number of male citizens of the required age is practically excluded—varying (according to different estimates) from 15 to 30 per cent. This system leads to a relatively small participation of the qualified voters in the elections, being in the last elections, 1897,

50, 59 and 54 per cent, respectively, in the three classes from I to III.¹

The city council is authorized to select its own president, vice-president, secretary and clerk, though the other employes are appointed by the administrative board. The city council is independent in its consideration of the matters assigned to it, and its jurisdiction is described in a general way to include all matters which are not expressly assigned by law to the exclusive jurisdiction of the administrative board or other authorities. It is authorized to appoint its own committees, for the consideration of such business as is referred to it. It chooses, as said before, the members of the administrative board, including the mayor and vice-mayor. It fixes the remuneration of the salaried

¹ To be a qualified voter in Halle, a person must be a male citizen of the Prussian state, independent (*i. e.*, under no tutelage or guardianship, judicial or otherwise), and twenty-four years of age. He must, moreover, for a year previous to the election

- (1) Have been a resident of the city;
- (2) Have received no public poor relief;
- (3) Have paid the local taxes assessed upon him,
- (4) And either
 - (a) Own a dwelling house in the city, or
 - (b) Carry on an independent business with the aid of at least two assistants, or
 - (c) Have been assessed either to the state income tax or at the fictitious normal rate of at least four marks (\$0.952), or at an income of 660 to 900 marks.

The last provision (c) is rather complicated. It means in effect that every person whose yearly income has been ascertained to be 660 marks (\$157.08) or over, according to the test prescribed in the income tax law for ascertaining income, shall be allowed to vote. In this process, certain deductions are made from the actual income in order to determine the assessed income, as for instance, life insurance, fees, etc.; a certain sum for each child dependent on the person taxed, allowances for sums paid for the support of parents or other relatives, etc., so that the "assessed income" of 660 marks may correspond to an actual income of anywhere from 660 to 1,000 marks or even more, according to the circumstances. The state does not levy any tax upon assessed incomes of less than 900 marks; cities are permitted to levy taxes upon assessed incomes of 460 marks or more. Halle levies an income tax upon assessed incomes of 660 marks or more—the sum usually varying from 4 to 5 marks upon assessed incomes of 660 to 900 marks. As a matter of fact, in the year 1898 the minimum income tax to be paid by a voter was 4.80 marks (\$1.14).

This provision excludes from voting a certain number of otherwise qualified persons—exactly how many there is no means of ascertaining from the records. The provision in regard to Prussian citizenship excludes probably many more.

members. It has in general full control of all financial matters. It is, however, as one can see from the description of the functions of the administrative board given above, very largely a controlling and supervising, rather than a legislating body. Like the English House of Commons, its consent is necessary to all legislation, but nearly all initiative in legislation comes from the administrative board itself, and even if the city council desire to initiate legislation, which right, by the way, is given to it to the fullest extent, it takes the form usually, as said before, of asking the administrative board to submit an ordinance relating to the subject in hand. It is usually represented by members of its own choice in all the deputations, commissions and sub-boards mentioned below. It may investigate the working of any city department, and for this purpose it may require the assistance of the administrative board.

The relation of these two city bodies to each other is reflected in the sessions of the city council itself. These sessions are held in the hall of the city council at times to be determined by the city council itself, so far as the regular sessions are concerned, extraordinary sessions being held at the call of the presiding officer, either on his own initiative or at the request of other members. In this hall, the president of the city council, the vice-president and the secretary occupy seats at a raised desk at one end, while the members of the city council occupy seats upon the floor directly in front of this desk. To the right and left of the president's desk runs a row of seats equal in number to that of the administrative board. These desks are assigned to members of the administrative board, and, generally speaking, they are occupied by such members as have charge of administrative departments, within whose jurisdiction the business of any particular meeting may fall. The members of the administrative board have the right to be heard at their own request upon any and all propositions discussed in the city council, which they may be called upon to exe-

cute. They are also required to answer questions which the members of the city council choose to address to them, so far as they relate to subjects over which the city council has control. This brings about, as noted before, a similar intimate relation between the administrative board and the city council as exists between the English cabinet and the House of Commons, or rather as exists between the executive council in Switzerland and the legislative branch in that country. The city council is very jealous of its prerogatives, of its right of discussion and criticism, and of its right to reject the propositions made by the administrative board, and this right is very frequently exercised. When a matter has become ripe for report to the city council, after having received the approval of all the appropriate commissions, it has already gone through so many instances that it is very likely to be accepted, unless there is some strong feeling on the subject on the part of individual members of the council. The procedure strikes one as a little cumbersome and calculated sometimes rather to impede public business than to facilitate it. Thus, a proposition to expend \$25 in the repair of the boilers in the city theatre must first be worked out in the office of the city engineer, in detail, showing how the money is to be spent, the necessity of it, the possibility that it will save future expenditures within a certain length of time, etc. The matter must then be submitted to the theatre commission, to the technical commission, to the finance commission; then passed upon by the administrative board, and finally by the city council. All propositions looking to the expenditure of money must go before the finance commission and, generally speaking, before at least one other commission. If the administrative board is in favor of a given project, it reports the matter to the chairman of the city council. Before submitting it to the council the chairman hands it over to a member or to a committee of the council with the request to report it to the council at the next meeting with

comments. The most important matters go, of course, to the chairmen of standing committees; the less important may be referred to a single member or to two members, with the request that each shall give his opinion to the council. Thus each matter is reported to the city council by a member of that body. He states what the administrative board has proposed and what the attitude of the various commissions has been before which it has been laid for consideration. If there is a difference of opinion between these commissions, as, for instance, between the finance commission and the building commission, or the finance commission and the school commission, there is, of course, a greater readiness on the part of the city council to reject the proposition of the administrative board than if it comes to the city council with the full approval of all the committees and commissions to whom it has been submitted.

It will be seen from the above description that we have nothing in the United States exactly similar to either of these bodies, and nothing at all resembling the combination and co-operation of these two bodies in city administration. Whether such a scheme would work in the United States or not is extremely doubtful, but there is no doubt at all that such a scheme could not be adopted with our views upon the subject of municipal government and its relation to the state and society. Probably one of the fundamental conditions of efficiency and of initiative enterprise in this form of municipal government is the professional permanent element, which is the very thing which we in the United States have thus far rejected in toto as a proper element in municipal administration. It would probably, furthermore, be difficult for such a scheme to work at all unless it were based upon some restriction of the suffrage—a proposition which stands little chance of being adopted in any American community. It seems, moreover, that a permanent civil service is an additional necessary element to the successful working of such a scheme, and a permanent non-partisan

civil service is something to which we Americans have not as yet made up our minds, although we have been struggling toward it for a generation.

A satisfactory view of the constitution and working of municipal government in Halle cannot, however, be obtained without considering further the function of the various commissions, deputations, etc., referred to above.

The general municipal code of 1853, under which the government of the city of Halle is organized and administered, provides that special deputations, commissions or boards may be constituted for the permanent administration or supervision of special departments of the public business, as well as for the performance of special or temporary functions. These deputations may consist either solely of members of the administrative board, or of members of the administrative board and the city council, or of members of both these bodies with the addition of qualified voters from among the body of citizens. In order to constitute joint commissions of both bodies, the consent of each body is necessary.

These commissions are placed under the immediate control and supervision of the administrative board. They report to it and not to the city council. The city council may choose its own representatives and any additional citizens who are to be selected as members of the deputations, while the mayor is to name the members of the administrative board and also to choose one of the latter as chairman of the deputation.

Permission is also given to the city to adopt other and additional regulations or special regulations, growing out of the special needs of the community, in regard to these permanent or temporary deputations.

The city of Halle has made extensive use of this privilege of creating special commissions or boards for the supervision or conduct of the various branches of city administration. Something like forty of such joint commissions,

under the various names of deputation, commission, board of trustees, directory, etc., have been created by the city authorities. To some of them a far-reaching jurisdiction of independent action has been assigned; to others rather a directory and supervising authority, with the duty of reporting to the administrative board. It will not be possible within the compass of such an article as this to enter into a detailed enumeration and discussion of all these different commissions and boards, but it will be worth our while to examine a little more closely the constitution and jurisdiction of two or three of the more important ones; and for the purpose of illustrating the working of the city government I shall select three as having charge of especially important branches of public administration and having a somewhat extensive sphere of independent jurisdiction within the limits of the law.

The city has under its charge the elementary and secondary schools. Of the secondary schools the most important are the gymnasium, the higher real school and the girls' high school. The gymnasium and the higher real school are placed under the charge of a board of trustees, consisting of nine members—two members of the administrative board, appointed by the mayor, one of whom, of course, is the city school inspector, three members of the city council, the directors of the two schools *ex-officio*, a professor in the university and a former member of the administrative board now out of service. To this board of trustees is deputed the general supervision of the work of these schools, recommendations as to equipment, the making out of the annual budget, recommendations as to additional teachers and recommendations of persons to be appointed as teachers, the actual appointing power, however, being vested in the administrative board of the city.

It will be seen that this board of trustees unites in itself a very happy combination of the expert and lay element in education. Generally speaking, in Prussia, the head of any

public institution is also a member of the governing board of that institution, with full voting rights as a member in regard to everything concerning the school, which does not affect his own personal relations. Such a subordination of the head of the school under the board of trustees in a sort of clerical position, as is the rule in American cities, would not be suffered for an instant in Prussia. Aside from the directors of the schools, as experts, the presence of a university professor insures the interest of the university in these schools, which are primarily the preparatory schools for all the higher institutions. The presence of the school inspector secures continuity and harmony in the administration of this school and a proper fitting of its conduct into the general conduct of the school system of the city. The girls' high school is placed under the charge of a similar board of trustees, with similar authority, consisting of seven members—the city school inspector, a second member of the administrative board, two city councilmen, the director of the school *ex-officio*, and a professor in the university. A position now vacant and shortly to be filled was formerly occupied by the senior clergyman of the established church in the city.

The elementary schools of the city are placed under the charge of a special school commission or school board, consisting of seventeen members—three members of the administrative board, including the mayor as chairman of the commission, and the city school inspector, three members of the city council, including the chairman of that body, a leading clergyman of the city, the director of the girls' high school and the principals of the ward schools in the city (six in number) *ex-officio*. The seventeenth member is a former member of the administrative board now retired. The ordinance establishing the school commission declares that its function in general is to care for the observance of external order in the school system and for the careful compliance with the laws and ordinances hitherto

established relating to it, also to examine everything by which the welfare of the schools may be injured or promoted, and to report upon the same to the administrative board. With the exception of the members of the administrative board, who are appointed at the pleasure of the mayor, and of the *ex-officio* members of the board, the others are chosen by the city council for terms of six years, in such a way that half are to retire every three years.

To this school commission is assigned the supervision of school attendance. Its duty is to see that the enrollment of pupils takes place at regular periods of the year, in accordance with the general school laws of the state, that provisions relating to school attendance are observed, that daily absences are noted and reported by the teacher. In other words, it is to see that the provisions of the compulsory school law in regard to school attendance are fully complied with. It has also charge of school property and school buildings. It is to prepare the school budget and to make propositions in reference to the increase of salaries, in reference to the appointment of additional teachers and nominations to fill vacancies or new positions created by the administrative board. It supervises the general conduct of the schools by the teachers, takes note of any complaints in regard to the way in which they perform their duties, assists them in the maintenance of discipline inside and outside of the schools, and determines the time of beginning and closing the school vacations, within the limits of the general laws and ordinances.

It will be noted that this school commission has to do only with the elementary schools of the city, that is, the so-called common or *volks* schools and the middle schools. The term "lower school" signifies in a legal sense a school, graduation from which does not justify admission to the privilege of one year voluntary military service. It would, therefore, strictly speaking, include also the girls' high school, but a special exception has been made in the case

of the city of Halle in such a way that the girls' high school is classed as a higher school, owing to the unusually high character of its instructing body and the general equipment and conduct of the school as a whole.

The school commission, moreover, has control only of the evangelical schools of the city. This is practically all the lower schools of the city, with the exception of one—the Catholic school, which is under the charge of a special commission, consisting of the school inspector, one member of the city council, the priest of the Catholic Church, the principal of the school and two citizens. The elementary schools in the city of Halle are organized on the so-called confessional system and are divided into the evangelical and Catholic schools. Religious instruction is given in all schools by the regular teachers, and Catholic parents who do not wish their children to attend the regular religious instruction of the evangelical schools must send them to the Catholic school in the town. This constitutes, of course, a certain hardship, since instead of the twenty or twenty-five evangelical elementary schools distributed throughout the city, there is only one Catholic school.

In general, this school commission is an advisory, consulting and administrative body rather than one of independent powers of action. The city, however, is now about to organize a school deputation which will not be merely an advisory or consulting body, but will constitute under the direction and supervision of the administrative board the real school authority of the city. It will appoint teachers, fix their salaries, within the limits of the budget set by the city authorities, and in general have complete control within the limits of the law of school matters within the city.

It will be observed that the city school inspector is one of the members of the administrative board, with full rights of deliberation and voting upon all matters falling within the jurisdiction of that body. He is to a certain extent the official adviser and expert in school matters to the adminis-

trative board. He occupies, therefore, in one sense, a position somewhat similar to that of a city superintendent of schools in an American city. But, on the other hand, as he is a member of each of the special school boards and practically presiding officer of the same, as well as a full-fledged member of the administrative board itself, he occupies in many respects a more important position and a more influential position than his counterpart in an American city. He is, moreover, a more permanent official, since his term of office is in the first instance twelve years, and the city cannot dismiss him without conferring a pension upon him as noted above, to the extent of one-half of his salary after twelve years' service and of his entire salary after twenty-four years' service. The new school deputation, which is to be created within the next two or three years, will assume entire charge, not only of the lower schools, but of the higher schools as well, replacing at once the two commissions of the elementary schools and the various boards of trustees of the higher schools.

The schools of a city are regarded in Prussia not merely as local institutions, but also as state institutions, and as such are further subject to the supervision of the state school department. For the lower schools the government appoints a local school inspector, who must report regularly to the higher school authorities as to the manner in which the school affairs of the city are conducted. This school inspector has usually been the senior clergyman of the established church in the city, but since his death a short time ago the functions of state school inspector have been conferred upon the city school inspector. The office of city school inspector as a member of the administrative board is not to be found in all Prussian cities. Halle was one of the first to establish the office, and the present incumbent, Dr. Krähe, who has held the office sixteen or seventeen years, was the first school inspector chosen in this city.

The nomination of teachers, as said above, for positions

in the elementary schools is made by the school commission. The method pursued is somewhat as follows: In the first place, no one can be appointed under the general school law who has not graduated at a state normal school or passed the examinations which would be accepted as the equivalent of such graduation. In the second place, according to a local rule, adopted by the commission itself, no one will be nominated to such a position who has not passed the second examination required of normal school graduates; so that no one can be considered as a candidate for permanent appointment in these elementary schools who has not had four or five years of practical experience in addition to the two examinations required of persons who receive permanent appointment in Prussian public schools. It was formerly the custom in case of vacancies in the city schools to publish the fact in the newspapers and to give notice that people might apply who desired an appointment. The city has ceased doing this because of the fact that more applications are now regularly made from properly qualified teachers than can be considered. In case a person applies for a position in the city schools, he must present certificates showing graduation from the normal school, the standing attained in the final examination at such school, also certificates covering the same ground as to the second examination, certificates as to the condition of health, certificates from the local school inspector, from the city school inspector (if there is one), and from the higher school authority of the district in regard to his experience and success as a teacher. If these certificates are any of them unsatisfactory, the person's name is dropped, without further ceremony, from the list of candidates to be considered. If, however, they are unexceptionable, notice is then sent to the individual that his name has been entered upon the list of candidates and that in case of a vacancy further notice will be sent to him. When a vacancy arises those persons whose names are on the list who seem to be most likely to

serve the purpose are invited to visit the city, present themselves in person, and give a model exercise in one of the schools, before the city inspector and one or two members of the school commission. In case the school commission is satisfied with these tests, it recommends to the administrative board that such person be appointed. If the board approves the recommendation of the school commission, the name, together with a copy of all the proceedings in the matter, is sent to the higher school authority for approval. The city school inspector states that during his term of office, the administrative board have never failed to approve the recommendation of the school commission as to the appointment of teachers, nor have the higher school authorities ever failed to approve the recommendation of the administrative board. It will be seen that this system aims at securing the very best available ability, whether in the city or outside of the city, for the schools. There is no question here of favoring people because they are residents of the city of Halle, but the field is open without fear or favor to all properly qualified citizens of the Prussian state. As a matter of fact, a very large proportion of teachers in the elementary schools have been chosen from the ranks of teachers engaged in other cities. As the city school inspector states, it is an advantage of a large city like Halle that it can have its pick of the best teachers to be found in the schools of the smaller towns throughout the kingdom.

It goes without the saying in Prussia that no teacher would be appointed to a position in the evangelical schools who did not belong to the evangelical faith, nor to a position in the Catholic schools who was not a Catholic. Furthermore, no person of Jewish faith could be appointed to a position in the city elementary schools, since there are no special schools for the Jews, and Jews would not be appointed either to the evangelical or Catholic schools. This feature is connected with the requirement that religious instruction shall be offered in all the schools and that each

individual teacher must be qualified to give the religious instruction appropriate to his particular grade. It would not be satisfactory to the sentiments of the community for a Jew to give instruction in Christian religion to the children of Christian parents, nor to a Catholic to have a Protestant give religious instruction to his children, or vice versa. All this is an outgrowth of the peculiar survivals to be found in European countries. The state requires that formal religious instruction shall be given to every child, and if a parent objects to his child's receiving the religious instruction offered in the school, as a Jewish parent might, for example, he must show to the satisfaction of the school authorities that the child is receiving religious instruction elsewhere, according to the standards of the Jewish faith, in as systematic and thorough-going a way as the children who attend religious instruction in the schools receive there.¹

Another important department of public administration which is entrusted to the care of a permanent deputation or commission is that of the care for the poor. The city of Halle forms a poor law district, with the obligation of caring for the poor within its boundaries, in accordance with the provisions of the general laws of the state. For the purpose of carrying out this function, a poor law board has been constituted, under the control and supervision of the administrative board, but with an extensive field of independent jurisdiction. The poor law board, called the *Armendirection*, consists, according to ordinance establishing it, of two members of the administrative board, of whom one must be chairman and the other vice-chairman, these appointed by the mayor, of two members of the city council, of the chairmen of the local poor districts, of one or more principals of ward schools, of a clergyman, of the

¹ This limitation refers to persons of Jewish faith; not to those of Jewish race who may have been converted and baptized as Christians. In Berlin, where the departmental system of instruction has been largely adopted, and where, therefore, the religious instruction is given by special teachers, this limitation does not exist.

chairman of the Women's Association for the care of Orphans, and of a physician. As the city is divided into twenty-three local poor districts, and the chairman of each of these poor districts is a member of the general poor law board, the board has a large membership—no less than thirty-four. As some of the chairmen of the local poor law districts are also members of the city council, the actual constitution of the board at present shows altogether four members of the city council. It includes, moreover, two members of the administrative board, four principals of ward schools as members *ex-officio*, two clergymen and the hospital physician. The term of office of all except the *ex-officio* members is six years, and must coincide either with membership in the city council or with chairmanship in the local poor boards. The general poor law board has charge of all matters relating to the administration of the poor law which are not assigned expressly to the various district commissions in the city local districts. The following subjects are expressly assigned to its jurisdiction:

1. To determine the general principles according to which the poor law is to be administered and to direct and supervise the conduct of the business of the district commissions, and to perform the same functions in case of the various institutions entrusted to its charge.
2. To grant relief so far as the independent decision of this matter is not entrusted to the local commissions.
3. To grant relief in cases of the city poor who have their residence in other districts.
4. To prepare the budget, to audit the yearly accounts and to make a yearly report.
5. To decide questions on appeal from decisions of the local commissions.
6. To care for the property of the poor law board and for the various foundations entrusted to its charge.
7. To represent the poor district in its relation to other poor districts.

8. To collect the sums due to it from other poor districts for relief accorded to their poor.

9. To purchase clothing, fuel and other necessary supplies for persons who are receiving either outdoor or indoor relief from the city.

10. To decide upon the admission of persons into the local hospitals, or into educational, sanitary or other asylums outside of the city.

11. To maintain an intimate connection and intercourse with the directors of the various local charitable organizations.

12. To dispose of any other business connected with the support of the poor, which is entrusted to it by the administrative board.

The board is authorized, within the limits of its jurisdiction, to issue independent ordinances and public notices. It does not need either the approval of the administrative board nor the consent of the city council in order to prosecute suits or to make contracts or to make compromises in regard to the support of the poor from other districts or in regard to the support of its own poor in other districts. The financial needs of the poor law board are met from the following sources:

1. From the proceeds of city property which is set aside for this particular purpose, and the proceeds of any property left by private individuals for the same purpose.

2. By fines, penalties and fees which are appropriated by law for this purpose.

3. By presents and donations; but if such gifts are connected with any burdens or obligations on the part of the city, the approval of the administrative board and the consent of the city council must first be obtained before they can be accepted.

4. By an appropriation made by the city for the support of the poor.

The board must make out an annual budget, indicating

all the sources of its revenue and the purposes of its expenditure, which must also include the appropriation made by the city for the support of the poor. This budget must be approved by the administrative board and the city council, and the poor law board is then bound to keep within it.

For the purpose of giving relief to the poor, the city is divided into twenty-three poor districts—a number which is fixed by the city authorities on the proposal of the poor law board. These poor districts are administered by so-called poor district commissions. These consist of a chairman, a vice-chairman and a number of visitors. The choice of members is made for the term of six years by the city council, upon the nomination of the poor law board. The number of the same is fixed according to the size of the district. The principle is to be observed that, as a rule, five and never more than ten families shall be under the care of one visitor. Membership in these commissions is a so-called honorary office. Every citizen is required to accept an election to this board and perform its duties in case he be chosen to it. It is the business of members of these local boards to make themselves thoroughly acquainted with the condition of the poor entrusted to their care, by a continuous, careful and personal examination, and to try by personal intercourse with them to improve their morality, their industry and their economy, to help them with advice and in every way to strive to bring them to such a point that poor relief will no longer be necessary. They must exert themselves to find out what people may be suffering in their district, especially those who may be kept from a feeling of shame from applying for relief. These local commissions have charge of the granting of every kind of assistance for the support of the poor, in cash and in kind, within the limits set for them in the budget, and according to the principles laid down by the general laws and ordinances of the state and city and by the regulations of the poor law board. They may prescribe free medical attend-

ance, free medicine and other remedial means. They may grant the necessary expenses for burial and they are entrusted with the carrying out of the orders of the poor law board and of the administrative board. Individual members of these commissions may grant temporary relief in cases of extreme necessity, reporting the case to the meeting of the district commission, which is held regularly twice every month and as much oftener as the chairman of the district may consider necessary. Relief is extended as a rule only from one session to another. All outdoor relief to persons entitled by the fact of having a settlement to public relief within the city of Halle is extended through these district commissions. The poor law board itself has charge of the indoor relief accorded in the public hospitals, asylums, etc.

It will be seen that in general the system of poor law administration adopted in the city of Halle is that known as the Elberfeld system. It is distinguished by the attempt to secure some personal relation between the applicants for poor relief and honorable and independent citizens acting as members and agents of the poor law board. In the twenty-three poor districts during the year 1898-99, 272 persons acted as chairmen of these district commissions or as visitors of the poor. Of these, ten had served as members of these commissions for more than twenty-five years. Over two hundred had served for a term of four years or longer, and over one hundred for a term of eight years or longer, so that the average experience of members of these commissions was very considerable. Of the 272, 45 were professional men—physicians, professors, teachers, public officials, etc.; 75—manufacturers and merchants; 132—contractors, master mechanics and other tradesmen.

The member of the administrative board appointed by the mayor as chairman of the poor law board is ordinarily the director of the entire system of the poor law administration in the city. The combination of expert knowledge and

professional skill and of lay co-operation, so characteristic of the system of local government in Prussia, is nowhere better illustrated than in this organization of the system of poor relief.

The city of Halle holds in trust a very considerable sum of money and other kinds of property for the benefit of the poor and needy within the city limits. It is a striking and interesting fact that citizens of Halle, desiring to leave money for purposes of this kind, are far more apt to entrust it to the administration of the city authorities than they are to create special boards of trustees, as is the rule in our own country. It is a testimony at once to the confidence of the average citizen in the efficiency and honesty of the public authorities, and to the skill and efficiency of these authorities themselves. Some of these foundations are of very considerable importance. Taken together they represent a property of some eight million marks, or two million dollars—a very considerable sum for a city of 125,000 inhabitants. If the city of Chicago had a proportional sum, it would exceed thirty millions of dollars. The effort is made to secure a hearty co-operation between the system of public administration for the support of the poor and private relief. The difficulties are, however, here as elsewhere, very great, and while they are on the whole as satisfactorily solved in Halle, perhaps, as in cities of a similar size elsewhere, the condition is still not altogether satisfactory. One important concession has been made by the union of all the organizations for private poor relief, in that they have bound themselves not to extend aid to persons who have not obtained a settlement within the city. Formerly it was the custom of paupers who desired to obtain a settlement within the city to apply to private organizations during the first two years of their residence within the city, and then, having acquired such residence, which would not be possible if they had received public support during that period, they became from that time on a burden upon the public

poor rates. The arrangement just noted enables the city to hold other poor districts responsible for the support of the poor which they send away or which come to Halle of their own accord.

As an illustration of a third of these subordinate boards or commissions, working under the supervision of the administrative board, I shall take the gas and water commission, which has charge of the gas and water works owned and managed by the city. This commission consists of eight members—two members of the administrative board, five members of the city council, and the director of the gas and water works *ex-officio*. One of the members of the administrative board appointed to this commission must be the city engineer. The term of office of the members appointed by the city council is three years. The director of the gas and water works is an advisory member of the board, with the right to take part in all its deliberations except those concerning his own personal affairs, such as salary, etc. The gas and water commission is required to make a report each year to the administrative board, concerning the working of the department entrusted to its supervision and control. It must also prepare the budget, which, besides providing for the costs of the running expenses and the maintenance of the works, shall also provide for a renewal fund, which is to be kept separate, and the interest of which is to be added to the capital. The commission has charge of the expenditure of all funds granted by the city authorities in the budget or by extra appropriation in accordance with the provisions of such grants. The commission may also determine the price for the materials needed in the works, for the various kinds of labor to be performed in connection with the same, and for the by-products to be sold; but the city authorities, that is, the administrative board and the city council, acting together, may make changes in the prices fixed for the gas and water, as well as the discount to be offered to the

consumer. The commission is authorized to make contracts, to conduct law suits, to make compromises, to yield or give up rights, to strike off bad debts, to submit matters of dispute to arbitration, to accept commodities and money, even from judicial sources, in a word, to do everything which the courts might demand from the representative of an absent party entrusted with full power of attorney. Written documents are valid for third parties when signed by two members of the commission, of whom, however, one must be a member of the administrative board and the other a member of the city council, and of which one must be chairman or vice-chairman of the commission. The immediate conduct of the administration of the gas and water works within the limits of the budget, and in accordance with the provisions of local ordinance and regulation, is entrusted to the director of the same. It is his special duty to supervise all persons employed in connection with these works, to keep the works in good condition, to purchase all materials necessary for the same, to supervise all accounts relating to these and other matters, to give notice to the commission of the probable exhaustion of the appropriations, and to make a full report at the end of the year concerning the entire conduct of the works. The previous consent of the commission is necessary for any contract involving more than one thousand (1,000) marks, as well as any extension or change in the works themselves. The appointment of the director of the works and the fixing of his salary are to be made by the city authorities, to whom the gas and water commission must make a formal report and proposition relating to this subject. The actual administration of the gas and water works under the conduct and control of the director shall be carried out by the necessary official and laboring force, appointed for this purpose. All such persons shall be engaged at first by the gas and water commission and are to be dismissible at the pleasure of the same. The commission may propose to the administrative board the permanent

appointment for life of any of these officials. The assessment of gas and water consumers shall be made by the director in accordance with the regulations concerning the use of gas and water. A consumer may appeal to the commission against the decision of the director.

It will be seen that a very extensive jurisdiction has been assigned to this gas and water works commission, at the same time that it is under the immediate control and supervision of the administrative board.

In general it is evident from the above description that although a considerable degree of independence is granted to these sub-commissions, deputations or boards, as a matter of fact, great care is taken to secure a unity of administration and the possibility of immediate and direct interference in the case of open abuses connected with the administration. Every member of the city council, for example, has the right to ask the administrative board why such and such abuses or such and such customs exist in any department of the city administration. It will not be a satisfactory answer, ordinarily, that the administrative board has no control over the matter, since that has been assigned by the law or local ordinance to some other authority, for in every individual case the administrative board has power to examine the facts, to require full and complete reports, and, if necessary, to suspend for a longer or shorter time the action of any of these boards. It has, moreover, delegates in each of these boards itself. Great care is taken to prevent any arbitrary action on the part of administrative officials by a very elaborate system of appeals from the decision of individual officials to superior officials or boards.

There are other numerous boards, such as boards for assessment of taxes, trustees of the city museum, trustees of the city theatre, trustees of the city stock-yards and slaughter-houses, of the city savings bank, of the city markets, of the city hospital, of the city pawnshop, of the city fire department, of the city board of health, of the city

cemeteries, etc. But the relation of all these boards to the city authorities in general and to the administrative board in particular is very much the same; some having a larger degree of independent jurisdiction than others, but all being subject to the general supervision of the administrative board and of the mayor in particular.

Another important department of the city administration is the city civil service, including the officials of higher and lower rank, appointed, for short terms, for definite terms, subject to removal upon notification; for indefinite terms, and for life. One may say on the whole that the tendency is steadily to diminish the number of people appointed for short periods, or those subject to dismissal upon notification, and to increase relatively the number of those who are appointed for indefinite terms or for life. Wherever it is plain that a city function calls for the exercise of all the time of an individual, and is likely to call for such exercise permanently, the tendency is to provide for a life position, subject to dismissal only after a judicial decision of incapacity or unfaithfulness, and including the right to a pension in case of faithful service through a long period of years. For the clerical work in the various departments a preliminary education is required at least equal to that of graduation from the so-called middle school (that is, a school which requires the time from say the sixth year until the sixteenth or seventeenth for the completion of its course), and the passing of an examination conducted by the mayor. Provision is made for a probationary term of service and for a gradual increase of salary after permanent appointment, and the promotion from one grade to another within the service, the highest title for these clerical and administrative positions being that of "city secretary." In general one does not seek to secure administrative efficiency in Prussia by conferring upon the mayor an arbitrary power of appointment or of dismissal; but rather by securing properly qualified persons for the civil service

and protecting them in their positions as long as they perform their duties properly.

It is not perhaps necessary to go into a detailed description of this feature, as it is one easily understood in general, and yet rather difficult to set forth in detail without taking much more time and space than is available at present. One may characterize the government of the city of Halle, from one point of view, as a form of government in which the routine and clerical duties are performed by an experienced and permanent force of subordinate officials; in which the important matters of administration, those calling for the exercise of judgment and discretion and executive ability, are performed by a body of trained experts, which is required, however, to consult with and secure the consent of certain lay colleagues—the whole system subject further to the steady supervision, control, examination and criticism of a popularly elected body of city councilmen.

Of course no scheme of administration is ever successful simply because it is well devised and is harmonious in all its forms. A scheme of administration is at best simply a body through which the spirit works, a machine through which the energy exerts itself. The real driving force must be found in the character of the community and of the agents which it selects. The real motive power is in the steam or electricity, and the best devised mechanism or the most beautiful body is a dead and lifeless thing until it is put in motion by the energy or inspired by the soul. Still there is no doubt that the question of a good or a better administrative scheme is one of great importance, and there is as little doubt, it seems to me, that the Germans have worked out in their scheme of city administration as illustrated in the above description of the government of the city of Halle, a device which is in harmony, on the whole, with their traditions, their ideas, their tastes, and their notions, and that, on the whole, it has worked out, everything considered, good results.

This, of course, is not saying that the Germans themselves are satisfied in every respect with the existing machinery of city government or with the way in which this machinery works. On the contrary, as in every enterprising and thoughtful community, so here, there is a continued criticism of the administrative board and its functions, for example, on the part of the city council; of the city council and the manner in which it performs its duties on the part of the administrative board; of both boards and the way in which they perform their duties on the part of the general public as a whole. There is a dissatisfaction among the poorer classes of the community with the three-class system of voting. There is a feeling, whether just or not, on the part of the poorer classes of the community that the interests of the well-to-do are kept too exclusively or too generally in mind, that the interests of the small man are neglected or sacrificed. The foreigner, of course, should exercise the greatest reserve in attempting to form an opinion upon such a complicated and difficult question, and still greater reserve in expressing such opinion. But, on the whole, I have been struck by the extent to which the administration in the city of Halle has steadily extended the functions of the city government which may be supposed to redound more fully to the benefit of the poorer classes in society than to that of the wealthier. The effort has been steadily made, for example, to improve the elementary schools, and the improvement in building, equipment and teaching force in the last fifteen or twenty years has been remarkable. The attempt to increase and improve the public parks and pleasure grounds of the people has been very noticeable. The tendency of the community to consider the needs and wants of the unfortunate, dependent, or less favorably situated classes has certainly been very marked, though the attempts, as in all countries and under all conditions, have not always been as successful as might have been wished.

One feature of this scheme of city government has been very noticeable, and that is that under the circumstances which have actually existed in the city of Halle during the last twenty-five years the mayor and the administrative board have constituted an active, progressive, if not aggressive and radical, element, in a positive city policy, looking toward steady improvement of city conditions in every direction. The present head mayor, who has occupied his position for some eighteen years, and the present mayor, who has just closed the first twenty-five years of his activity as a member of the board, as well as the other salaried members of this board, are men who not only by their preliminary training, but by their experience in similar positions in other cities are thoroughly acquainted with the best things that are doing in cities that are similarly situated in Prussia and are determined, as far as possible, to introduce every new improvement as rapidly as the community is ripe for it. My first visit to the city of Halle was made in the year 1875, and the revolution which has taken place in municipal conditions since that time is something little short of marvelous. The growth of the city in wealth and population, which has been a result, of course, largely of external rather than internal conditions, has been accompanied by marvelous improvements in all departments of city life, a greater improvement, I think one may say without any exaggeration, than was shown in the previous century and a half of the history of the city. Of course, this is itself largely an outgrowth of modern conditions, with which the city of Halle has had little or nothing to do, conditions which are at work, not only in Prussia and Germany, but in France, England and America, conditions which have revolutionized in many directions the outward aspect and the inner constitution of large cities the world over, but, at any rate, this city has kept pace with the progress thus outlined and made possible by outside forces. The introduction of a more liberal and better supply of

water, the regeneration of the city gas works and the steady reduction in the price of what has become almost a necessary of life, the introduction of a city electric plant, now building, the establishment of a city stock-yard and slaughter-house, the introduction of a general sewer system, with all which that implies, the breaking through of new streets in the old part of the town and the widening of other streets, the repaving of the entire system, both in the roadway and in the sidewalks, the establishment of a city pawnshop, a city savings bank, the improvement of the police system and fire department, the marvelous improvement in the school facilities of the elementary grade, and to a large extent of the higher, and the improvement in the administration of poor relief—these are things which have grown out of a positive and progressive policy on the part of the city authorities. Side by side with this has gone a marvelous improvement in the matter of railroad facilities—steam and electric; the introduction of the surface electric car, which Halle was the first city in Germany to introduce on a large scale; the connection of the city with all the surrounding villages by steam or electric tramways; the extending use of gas and electricity for power purposes; the adoption of a more liberal building law. All these things indicate the lines along which local improvement has proceeded, here as in other cities of Europe and America. The experience collected by German cities in these various departments is well worth the study of persons interested in municipal government the world over.

EDMUND J. JAMES.

University of Chicago.